

NSA review completed

The NSA position
is Bull. It has
no logic, except as
defined by NSA.

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PROXIMITY ACCESS

1. State, Army, Justice, Navy, and DIA members concurred with PROXIMITY access statement appearing in paragraph 7b of the draft DCID 1/19 feeling it better captures the spirit and intent of the PROXIMITY access provisions than does the proposed NSA rewrite at TAB 1. Some members also concluded that a description of PROXIMITY is not the place to promulgate further COMINT regulations as included in paragraph 7b(1) of the NSA rewrite.

2. OSAF concurred with the NSA rewrite. CIA, Air Force, and Department of Energy members abstained noting that either version would be acceptable.

3. NSA does not consider that the extant PROXIMITY paragraph provides adequate safeguards for the protection of COMINT and COMINT related activities, information and equipments within the Intelligence Community. Of particular concern is the omission of the requirement for COMINT access as a prerequisite for physical access to an operable instrument of the NSA Security Telephone System, which system is self-authenticating at the Top Secret/SI level. The PROXIMITY approval which was concurred with by DIRNSA during NFIB consideration contained more stringent provisions.

a. NSA advises that the underlined portions of their rewrite (TAB 1) were contained in the NFIB approved version but omitted in the initial draft DCID 1/19 prepared by the IC Staff.

b. As PROXIMITY approval will be implemented within the Intelligence Community based on DCID 1/19 provisions, NSA believes DCID 1/19 should reflect the stringent provisions concurred in by the NFIB as providing adequate safeguards for SCI.

1 TAB
NSA Proposed "PROXIMITY"
Paragraph (C)

ATTACHMENT 4

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more NSA Bull
(and ungrammatical,
at that)

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(C) PROPOSED NSA REVISION OF "PROXIMITY" PARAGRAPH

"b. PROXIMITY Approval. A "PROXIMITY" approval may be granted by, and at the discretion of, the cognizant SOIC to persons who closely support SCI collection, processing or use, but whose duties do not warrant granting substantive SCI access approvals.

(1) PROXIMITY approval does not authorize access to SCI. PROXIMITY approval allows the holder to perform peripheral duties in support of any SCI control system provided those duties do not involve visual or aural access to SCI. The use of PROXIMITY alone is inappropriate if access to SCI is required (e.g., visual or aural access to COMINT or physical access to an operable instrument of the NSA Secure Telephone System--grayphone--always requires COMINT access). PROXIMITY approval may be granted to an individual authorized one or more SCI accesses and meets the criteria indicated below with regard to another SCI control system.

(2) Minimum criteria for PROXIMITY approval are:

- (a)
- (b) (NO NSA CHANGES TO THESE PARAGRAPHS)
- (c)
- (d)

(3) Persons determined by their SOICs to require PROXIMITY approval shall be processed to DCID 1/14 personnel security standards. They shall be given a non-SCI revealing briefing to sensitize them that their duties may bring them in close proximity to highly sensitive government information; to require them to report to their security officer any inadvertent disclosure to such material; and to provide them a generalized description of the appearance of SCI documents (e.g., material may have color-coded cover sheets, and shall bear handling system caveats) to enable them to recognize such material if it is exposed to them. They will be informed that willful abuse of the limitations of PROXIMITY approval may be cause for disciplinary action, be advised of the penalties for unauthorized disclosure, and be given the opportunity to read applicable U.S. laws.

(4) NdAs are required of persons being granted PROXIMITY approval to obligate them to observe the agreement's provisions with respect to any SCI of which they might gain knowledge. If an inadvertent disclosure is made to a person with PROXIMITY approval, that person shall be given a security briefing to ensure that he or she understands the applicability of the NdA and his or her obligations under it. Inadvertent disclosures shall be documented in the individual's record to assist the SOIC in determining when an individual requires substantive access consideration due to accumulation of knowledge.

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(5) SOICs shall administer PROXIMITY approvals for those persons they sponsor. Once granted, the PROXIMITY approval is valid only within the cognizance of the granting SOIC.

(6) To the extent that SOICs find it practicable, individuals already holding substantive access approvals may be converted to PROXIMITY if they meet the criteria for such. Those so converted will be cautioned not to discuss with other PROXIMITY approved persons their previously acquired knowledge of SCI. SOICs are expected to exercise prudence in extending PROXIMITY approvals to persons and positions not now requiring SCI access in order to avoid undue burden on the SCI personnel security system. Substantive access approval requests shall normally take precedence over PROXIMITY approval requests.

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